UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

FUU-REN TSAI, Individually and On Behalf of
Himself and All Others Similarly Situated,

No. 12 Civ. 04511-JGK

Plaintiffs.

٧.

TIBET PHARMACEUTICALS, INC., HONG YU, TAYLOR Z. GUO, SABRINA Y. REN, WENBO CHEN, YOUHANG PEN, SOLOMON CHEN, ANDERSON & STRUDWICK INCORPORATED, STERNE AGEE GROUP, INC., HAYDEN ZOU, and L. MCCARTHY DOWNS III,

Defendants.

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A), Plaintiff Fuu-Ren Tsai hereby voluntarily dismisses the above-captioned action, without prejudice as to all defendants, and without further notice. As grounds therefore, Plaintiff states that: (1) no defendant has filed an answer or a motion to dismiss; (2) this dismissal will not bind or prejudice any party or member of the putative class; and (3) a similar action is pending in the United States District Court, District of the Virgin Islands, entitled Yang v. Tibet Pharmaceuticals, Inc., et al., Case No. 12-cv-054-WAL-GWC. The parties shall bear their respective costs.

Dated: July 23, 2012

New York, New York

SO ORDERED:

USDC SDNY DOCUMENT

ELECTRONICALLY FILED

DOC#

DATE FILED:

1/24/12

Respectfully submitted,

POMERANTZ HAUDEK GROSSMAN & GROSS LLP

/s/ Jeremy A. Lieberman

Marc I. Gross
Jeremy A. Lieberman
Gustavo F. Bruckner
600 Third Avenue, 20th Floor
New York, New York 10016
Telephone: (212) 661-1100
Facsimile: (212) 661-8665

POMERANTZ HAUDEK GROSSMAN & GROSS LLP

Patrick V. Dahlstrom
Ten South LaSalle Street, Suite 3505
Chicago, Illinois 60603
Telephone: (312) 377-1181
Facsimile: (312) 377-1184

Attorneys for Plaintiff

SO ORDERED:

U.S.D.J.

M

CERTIFICATE OF SERVICE

I, Jeremy A. Lieberman, counsel for Plaintiff, hereby certify that on July 23, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses of all counsel of record in this action.

/s/ Jeremy A. Lieberman
Jeremy A. Lieberman